REMARKS

I.   Introduction

In response to the pending Office Action, Applicants have amended Figs. 1-3 so as to address the objections to the drawings set forth in paragraphs 2 and 3 of the Office Action. In addition, claims 1-6 and 9-14 have been amended so as to address the objections to the claims, and the rejection of the claims under 35 U.S.C. § 112, first and second paragraphs. No new matter has been added. For the reasons set forth below, Applicants respectfully submit that the pending claims fully comply with the requirements of the 35 U.S.C. § 112.

In addition, page 10 of the specification was amended to correct an inadvertent error. Specifically, the "Nm" was amended to "Nm". Page 10, lines 1-5 of the specification supports the foregoing change.

II.   The Objection To The Drawings

The drawings were objected to for failing to illustrate the claimed "multi-leveled retrieval request" and for failing to provide descriptive text for each of the elements identified in the figures. In response, the language "multi-leveled retrieval request" has been eliminated from the pending claims, and descriptive text has been added to each element noted in paragraph 3 of the Office Action. As such, it is respectfully submitted that all of the pending objections related to the drawings have been corrected by the amendment to the drawings submitted herewith. It is therefore requested that the pending rejection be withdrawn.

III. The Rejection Of The Claims Under 35 U.S.C. § 112, First Paragraph

Claims 1-12 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification in a manner so as to convey to one of reasonable skill in the art that the Applicants' had possession of the invention at the time of filing the application.

First, with regard to the failure to adequately describe the "multi-leveled retrieval request", this language has been deleted from the claim, and has essentially been replaced with the phrase "assigning a priority to a keyword" in an effort to clarify the subject matter of the present invention. With regard to assigning a priority to a keyword, as shown in Fig.3, an indicator 330 having a left button and a right button is prepared by each of the plurality of keywords 24. The user/operator can assign a priority (i.e., importance) to each keyword by clicking right and /or left buttons (which are indicated by triangles in Fig. 3) to move a pointer of the indicator. For example, when the left button is clicked, the pointer moves to the left and the importance of the keyword is higher, and when the right button is clicked, the pointer moves to the right and the importance is set lower. By doing this, the importance (i.e., priority) of each keyword can be set by the operator. (It is noted that in the original claims, it was this varying of the importance of the keyword that was referred to as the "multi-leveled retrieval request. The "multi-leveled request" was intended to imply variations in the priority level.). Support for selecting the importance of the given keyword is set forth on page 6, lines 19-26 and Fig. 3 of the specification.

With regard to the "retrieval request" recited by claim 1, which was also cited in the pending rejection, as set forth on page 6, lines 26-26, this signal is generated when the user presses the search button 320 upon completion of the user defining the priority of the keywords.

However, in an effort to make the claim more clear, the recital of the "retrieval request" has been deleted from the pending claims.

With regard to the term "degree of necessity", this term represents a value indicating how strongly the user wants the given image, when retrieving an image from the database. More specifically, as noted above, a keyword (or keywords) is selected by the user and the importance of the keyword is set by the user. The keyword is then tagged to one or more images stored in the database. Thereafter, the "degree of necessity" is expressed as a numerical value, which expresses how each of the keywords selected by the user coincides with each of the tags, as well as the importance of each of the keywords. By selecting the image having the highest degree of necessity, it is possible to quickly retrieve the image most desired by the user. It is noted that the "degree of necessity" (i.e., the necessity signal "TNm") is defined by the equation set forth on page 8, line 13 of the specification.

It is respectfully submitted that the foregoing amendments to the claims, in conjunction with the foregoing explanation, which identifies the relevant portions of the specification that support the claim terms questioned in the pending rejection, overcome the pending rejection of the claims under 35 U.S.C. § 112, first paragraph.

IV.   The Rejection Of The Claims Under 35 U.S.C. § 112, Second Paragraph

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph, for failing to provide a proper antecedent basis for all elements set forth in the claims, as well as for containing vague language.

More specifically, the phrases "the retrieval signal" and "a number of the request" were objected to for failing to have a proper antecedent basis. As noted above, these phrases have been deleted from the claims. Thus, these rejections are moot.

With regard to the phrase "searching the image", the claims have been amended to recite "searching for the image from at least one of an information storage medium and an information network". It is respectfully submitted that the foregoing amendment removes any possible vagueness from the claim element.

With regard to the rejection of claims 1-12 as being incomplete for omitting essential structural cooperative relationships of elements, claims 1 and 4 have been amended so as to expressly state that the search for the image is performed by searching at least one of the storage medium or information network. As such, it is respectfully submitted that the foregoing amendment cures the reason of the rejection noted in the Office Action.

For all of the foregoing reasons, it is respectfully submitted that the rejection of claims 1-12 under 35 U.S.C. § 112, second paragraph, has been overcome by the foregoing amendment.

V.   Request For Notice Of Allowance

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.
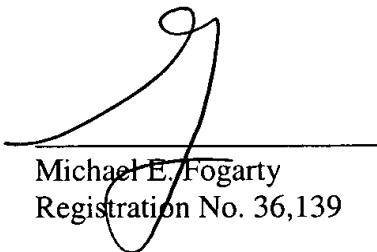
Serial No. 09/708,463

Applicant believes that no extension of time is required. However, this conditional

petition is being made to provide for the possibility that Applicant has inadvertently overlooked

the need for a petition for extension of time. The Commissioner is hereby authorized to charge

any additional fees associated with this communication or credit any overpayment to Deposit

Account No. 50-0417.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Date: _8/1/23_   By: _____

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